

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte RICHARD J. MORRIS and
SCOTT CHARLES VANWEY

MAILED

JAN 4 - 2007

U. S. PATENT OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES

Application No. 10/826,651

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was received electronically at the Board of Patent Appeals and Interferences on November 29, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

An Information Disclosure Statement (IDS) was filed on March 16, 2005. A review of the Image File Wrapper reveals that the examiner has not considered the IDS. According to MPEP § 609:

“ . . . The Examiner must also fill in his or her name and the date the information was considered in blocks at the bottom of the PTO-1449 or PTO/SB/08A and 08B form.”

Accordingly, it is

ORDERED that the application is returned to the Examiner for consideration of the IDS, written notification to the applicant of such consideration and for further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: G. Elgee for Dale Shaw
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DMS/dal

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